

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE PHOENIX INSURANCE COMPANY,
et al.,

Plaintiffs,

v.

NUANCE COMMUNICATIONS, INC., et
al.,

Defendants.

Case No. [13-cv-05905-BLF](#)

**ORDER TERMINATING PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT
AND VACATING BRIEFING
SCHEDULE; DIRECTIONS TO
PARTIES**

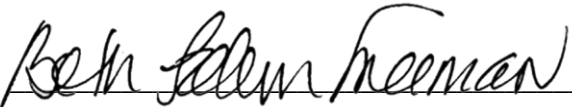
[Re: ECF 66]

The Court is in receipt of the parties' "Fifth Joint Stipulation to Revise Briefing Schedule for Opposition and Reply to Plaintiffs' Motion for Summary Judgment." ECF 66. In light of the parties' continued efforts to finalize a settlement agreement, the Court hereby terminates Plaintiffs' pending Motion for Summary Judgment, ECF 52, and vacates the corresponding briefing schedule. Plaintiffs shall have leave to re-notice their Motion for Summary Judgment now with the parties' agreed briefing schedule or by **January 15, 2015** at the latest. Plaintiffs' need not re-file their moving papers—the re-notice may refer to the originally filed motion.

Plaintiffs shall re-notice their Motion for Summary Judgment or the parties shall file a stipulation of dismissal **by January 15, 2015**.¹

IT IS SO ORDERED.

Dated: October 29, 2014


BETH LABSON FREEMAN
United States District Judge

¹ The parties' Fifth Joint Stipulation is DENIED as moot.